

Exhibit 12

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

TAYLOR SMART AND MICHAEL
HACKER, individually and
on behalf of all those
similarly situated
Plaintiffs,

Case No. 22-cv-02125-WBS-CSK

vs.

NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION, an
unincorporated
association
Defendant.

- AND -

JOSEPH COLON, SHANNON
RAY, KHALA TAYLOR, PETER
ROBINSON, and KATHERINE
SEBBANE, individually and
on behalf of all those
similarly situated

Plaintiffs,

Case No. 23-cv-00425-WBS-CSK

vs.

NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION, an
unincorporated
association
Defendants.

* * * * *

Portions of the Transcript Have Been
Designated as Confidential
VIDEOTAPED DEPOSITION OF
SHANNON RAY
October 15, 2024

(TITLE PAGE - CONTINUED)

Held at Butler Snow, LP
445 North Boulevard, Suite 300
Baton Rouge, Louisiana 70802

(Beginning at 9:13 a.m.)

Reported by:

Rita A. DeRouen, CCR, RPR

(CCR #2014018)

(RPR #006908)

Page 2

1 APPEARANCES:

2 REPRESENTING THE PLAINTIFFS IN COLON V. NCAA:

3 KIRBY MCINERNEY

4 1420 Kettner Boulevard, Suite 100

San Diego, California 90101

5 858.834.2044

BY: ROBERT J. GRALEWSKI, JR., ESQ.

6 bgralewski@kmlp.com

7 - AND -

8 FAIRMARK PARTNERS LLP

68 Jay Street

9 Brooklyn, New York 11201

617.642.5569

10 BY: YINKA OUAYEMI, ESQ.

yinka@fairmarklaw.com

11
12 REPRESENTING THE PLAINTIFFS IN SMART VS. NCAA:

13 KOREIN TILLERY, LLC

14 505 North 7th Street, Suite 3600

St. Louis, Missouri 63101

15 314.241.4844

BY: GARRETT R. BROSHUIS, ESQ.

16 gbroshuis@koreintillery.com

(Via Zoom)

17
18 REPRESENTING THE DEFENDANT NCAA:

19 MUNGER, TOLLES & OLSON, LLP

560 Mission Street, 27th Floor

20 San Francisco, California 94105-2907

415.512.4027

21 BY: CAROLYN HOECKER LUEDTKE, ESQ.

Carolyn.Luedtke@mto.com

1 he not able to talk?

2 THE VIDEOGRAPHER:

3 It says he's muted.

4 MR. GRALEWSKI:

5 Okay. Is there anybody else making
6 an appearance on the Zoom?

7 Okay.

8 THE VIDEOGRAPHER:

9 Will the court reporter please swear
10 in the witness and then counsel may
11 proceed.

12 SHANNON RAY,
13 having been first duly sworn, was examined and
14 testified as follows:

15 EXAMINATION

16 BY MS. LUEDTKE:

17 Q. Good morning, Ms. Ray.

18 A. Good morning.

19 Q. Can you just state your name for the
20 record.

21 A. Shannon Ray.

22 Q. And have you ever been deposed before?

23 A. No.

24 Q. Were you able to meet with your counsel
25 to go over what to expect in a deposition?

Page 10

1 Q. For approximately how long?

2 A. About a year.

3 Q. What did you study?

4 A. Concentration in accounting.

5 Q. Did you get a degree or certificate or
6 anything?

7 A. No.

8 Q. Okay. I'm going to ask you to walk me
9 through your work history, starting with any
10 current employment that you have.

11 A. Okay. I currently work remotely for
12 Calvary Portfolio Services.

13 Q. What do you do for Calvary Portfolio
14 Services?

15 A. I'm an auditor.

16 Q. What -- what's generally the nature of
17 Calvary Portfolio Services' business?

18 A. It's a debt collections. We work on
19 the -- I work on the legal side, so a lot of garn
20 -- I work with the law firms to make sure our
21 accounts match up with theirs, reporting
22 garnishments, assets, and things of that nature,
23 and judgments.

24 Q. How long have you worked there?

25 A. Four years.

1 your volunteer coach position in January 2019?

2 A. I do not recall. And also I don't even
3 know the password to my LinkedIn.

4 Q. When was the last time you logged in to
5 LinkedIn?

6 A. I would say years ago. It is not needed
7 because I have a great job.

8 Q. Did you use LinkedIn to find your great
9 job at Calvary Portfolio Services?

10 A. No, I did not.

11 Q. How did you find that job?

12 A. Job -- like maybe the site was Indeed,
13 like something of that sort.

14 Q. You can set that aside.

15 A. Okay.

16 Q. So when you -- when you started as a
17 volunteer coach in January 2019 at Arizona State,
18 were you also still running professionally in
19 track?

20 A. Yes.

21 Q. So tell me about how -- where did you
22 train in Phoenix for track?

23 A. We trained at Arizona State.

24 Q. Who was your coach?

25 A. Dion Miller.

1 Q. Was he the head coach for Arizona State?

2 A. He was not the head coach, he was
3 assistant sprints coach. But it was the head
4 coach -- they was getting the head coach job the
5 year after. So...

6 Q. He became the head coach in 2020?

7 A. He became the head coach in 2020.

8 Q. Did you know him before you went to
9 Phoenix?

10 A. Yes.

11 Q. How did you know Dion Miller?

12 A. He was a coach at Alabama prior to
13 Arizona State.

14 Q. How did you first get introduced to him?

15 A. He approached me at a track meet at the
16 national championship meet and was like, I would
17 like to coach you professionally.

18 Q. The NCAA national championships?

19 A. Yes.

20 Q. And had you met him before then?

21 A. Yes.

22 Q. Like on how many occasions would you
23 say?

24 A. I'm not sure.

25 Q. In connection with -- had you met him in

1 connection with running for Ole Miss?

2 A. Yes.

3 Q. When Ole Miss would run in track meets,
4 you would run against Alabama?

5 A. Yes.

6 Q. And you would encounter him at those
7 meets?

8 A. Yes.

9 Q. So at the national championship in 2018,
10 you were running in the national championship, I
11 assume?

12 A. Yes.

13 Q. And he approached you about wanting to
14 coach you?

15 A. Yes.

16 Q. After you graduated?

17 A. Yes.

18 Q. And then he moved from Alabama to
19 Arizona State?

20 A. Yes.

21 Q. To be an assistant sprints coach?

22 A. Yes.

23 Q. And then the next year he became the
24 head coach?

25 A. Yes.

1 Q. And what did you say when he approached
2 you about wanting to coach you?

3 A. I was very excited because I know that
4 he had coached really great athletes.

5 Q. And when you were graduating from Ole
6 Miss, were you hoping to continue to run?

7 A. Yes.

8 Q. At the time you graduated, did you have
9 a plan for how you were going to continue to
10 train?

11 A. I did not have a full, thought-out plan.

12 Q. Where did you train between when you
13 graduated and when you moved to Phoenix?

14 A. I trained back home in New Orleans.

15 Q. Where?

16 A. The Westbank area on -- it's on the
17 outskirts of New Orleans. So different parks,
18 recreation parks in New Orleans.

19 Q. Was it hard to train that way?

20 A. Very.

21 Q. What made it hard?

22 A. Just training alone. And so originally,
23 the -- Dion Miller, he -- I was going to Alabama
24 with him. And then he -- I got my apartment in
25 Alabama, and then he decided to change.

1 of the indoor season.

2 Q. And then the outdoor season is in the
3 spring?

4 A. Yes.

5 Q. Is there a summer season?

6 A. Depending on how good you are, you can
7 go as long as September, October, depending on
8 collegiate, professionally. It varies.

9 Q. All right. So Dion Miller, when he
10 approached you about wanting to coach you, did --
11 he also suggested that you could work as a
12 volunteer coach?

13 A. Yes, that was my -- that was my duty if
14 I was going to come here, I would have to work as
15 a volunteer coach.

16 Q. Okay. When he approached you about
17 that, did he explain to you what your duties would
18 be as a volunteer coach?

19 A. Not necessarily. He was just an
20 assistant coach. But he did explain and he also
21 was still feeling out the -- the -- feeling out
22 everything himself. So he didn't know specific
23 what my duties were, but the main duties were to
24 help, help out the students whenever was needed
25 and work as a mentor, and while I'm training

1 A. Yes.

2 BY MS. LUEDTKE:

3 Q. And then when you started work at
4 Calvary, tell me what was a normal day for you
5 with all of your different time commitments. Walk
6 me through a typical Shannon Ray day after you
7 started at Calvary.

8 A. So I started work at 5:30 in the
9 morning.

10 Q. At Calvary?

11 A. Yes.

12 And I would get off at 2:00 -- maybe
13 2:15, and then practice starts at 3:00.

14 Q. And how long would you be at practice?

15 A. It varied.

16 Q. Again, sort of between 6:00 and
17 8:00 p.m.?

18 A. Yes.

19 Q. And when did you do your own training
20 after you started at Calvary?

21 A. I would train in the -- at the time with
22 the collegiates.

23 Q. You trained with the student athletes?

24 A. Yes.

25 Q. Describe to me, what does your training

1 encompass? What would you do to train with the
2 student athletes?

3 A. What would I do to train with them? So
4 most of the time I did do the same workouts unless
5 I was competing that weekend or -- but most of the
6 time I did do the same workouts. Or sometimes my
7 workout could be a little easier so I'll finish up
8 early and be able to help them more.

9 But are you asking like what's a typical
10 practice? A typical practice would be we start
11 off with some drills. I'm always in the front.
12 I'm leading the drills because that's the way
13 the -- Dion Miller wanted it to show an example.
14 So -- and then we would do the drills in the line.

15 So I'm able to finish up my drill and
16 then also correct those that are coming behind me.
17 And then we stretch. I introduce them to like new
18 stretching techniques and things like that. And
19 then we would put on our spikes and compete, which
20 I would always be in the front running with the
21 faster girl, and then pushing each other. So
22 that's...

23 Q. Can you just give me an example of what
24 is a drill?

25 A. A drill, like A skip, B skip. So you're

1 just doing like a high knees, high knees.

2 Q. Got it.

3 A. Yes.

4 Q. And then you would -- you said you would
5 put on your spikes and compete. You would run
6 actual sprints against one another?

7 A. Yes.

8 Q. And sometimes the coach would say full
9 sprint or half sprint or things like that?

10 A. Yes.

11 Q. And then would you then go to the weight
12 room and do the workout in the weight room with
13 the student athletes?

14 A. Yes.

15 Q. And so you would do your practice
16 alongside the student athletes from about 3:00
17 until whenever you-all finished between 6:00 and
18 8:00; is that right?

19 A. Yes.

20 Q. And if you had a meet that weekend, you
21 might moderate the workout based on whatever your
22 coach advised you?

23 A. Yes.

24 Q. And your coach was Dion Miller?

25 A. Yes.

1 Q. Did you work with other coaching staff
2 at Arizona State?

3 A. Yes.

4 Q. Who was that?

5 A. Shannon Hatchett.

6 Q. She was an assistant coach?

7 A. Yes.

8 Q. Anyone else?

9 A. There was another strictly hurdles coach
10 and recruiter; I cannot remember his name at the
11 moment.

12 Q. And then was there like a strength and
13 conditioning coach that worked with you?

14 A. Yes.

15 Q. And who was that?

16 A. Her name was Coach D.

17 Q. D like David?

18 A. D like David.

19 Q. And so Coach D worked with the Arizona
20 State student athletes as well as with you?

21 A. Yes.

22 Q. Were there other professional track and
23 field athletes training alongside you at Arizona
24 State?

25 A. Yes.

1 Q. And they were also working with Dion
2 Miller?

3 A. Yes.

4 Q. Were they also volunteer coaches?

5 A. Yes.

6 Q. What were their names?

7 A. Vanessa Clerveaux, and that was the --
8 she was a hurdler; and then Gino Hall, he was a
9 400-meter runner, male sprinter. So total of --
10 it was three volunteer coaches that were actually
11 competing and then one volunteer coach, his name
12 was Ronnie. I'm not sure of his last name, but
13 his name was Ronnie.

14 Q. And he wasn't a professional athlete?

15 A. No.

16 Q. Did you get to work with any of the
17 nutritionists from Arizona State who worked with
18 the athletes?

19 A. I can't remember.

20 Q. So other than the sprints coaches and
21 the strength and conditioning coaches, were there
22 other coaches or resources you got from Arizona
23 State to assist you in your training?

24 A. I can't remember.

25 Q. What did you do with the strength and

1 A. Not during the 2021 season.

2 Q. At any point in 2021 were you a
3 volunteer coach for Arizona State?

4 A. No.

5 Q. So you were a volunteer coach for
6 Arizona State from January 2019 until sometime the
7 end of 2020?

8 A. December 2020, yes.

9 Q. And you moved to Orlando around that
10 time of December of 2020?

11 A. Yes.

12 Q. Why did you stop being a volunteer coach
13 for Arizona State?

14 A. I moved away.

15 Q. Did you start training with somebody in
16 Orlando?

17 A. Yes.

18 Q. A different coach?

19 A. Yes.

20 Q. Is that why you moved?

21 A. Yes.

22 Q. Who was your coach in Orlando?

23 A. Gary Evans.

24 Q. And was he affiliated with a university?

25 A. No.

1 Q. What facility did you train at with Gary
2 Evans in Orlando?

3 A. It varied between different facilities.

4 Q. There wasn't one particular home
5 facility?

6 A. Correct.

7 Q. When did you decide to move to Orlando?

8 A. November 2020.

9 Q. What was your driving reason for moving,
10 was it to train with a different coach?

11 A. Yes.

12 Q. Because you weren't happy with the
13 Arizona State coach?

14 A. Yes.

15 Q. Because he was wishy-washy?

16 A. Very.

17 Q. When COVID shut down the track and field
18 season in February-ish of 2020, did you continue
19 training at Arizona State's facilities?

20 A. Yes.

21 Q. You were able to continue your own
22 professional athlete training?

23 A. I can't answer that question because
24 it's not accurate. There was a point where I kept
25 training and thought there would be a season, and

1 Q. Are you in touch with anybody who is a
2 volunteer coach at Arizona State still?

3 A. No.

4 Q. All right. You said that you worked at
5 Calvary full-time as an auditor while you were a
6 volunteer coach; is that right?

7 A. Correct.

8 Q. And you still work there?

9 A. Yes.

10 Q. And you like the job?

11 A. Yes.

12 Q. It was flexible and allowed you to train
13 as a professional athlete?

14 A. Yes.

15 Q. It still is?

16 A. Yes.

17 Q. When you worked at Calvary in 2019 as an
18 auditor, what was your salary?

19 A. In 2019? I'm not sure of the exact
20 salary.

21 Q. Approximately.

22 A. I would say 40, around 40K.

23 Q. Did you receive any benefits in 2019?

24 A. What do you mean by "benefits"?

25 Q. Sure. Did you receive health insurance?

1 A. Yes.

2 Q. Did you receive dental insurance?

3 A. Yes.

4 Q. Did you receive any other medical or
5 benefits of that type?

6 A. I received medical and dental insurance,
7 and those were the only benefits.

8 Q. Did you receive a bonus of any kind?

9 A. Yes.

10 Q. How much in 2019?

11 A. Maybe roughly around \$7,000.

12 Q. And in 2019 did you receive any other
13 compensation from Calvary for your work as an
14 auditor?

15 A. I'm sorry, there was no bonus in 2019.
16 We do not get bonuses until the end -- at that
17 very moment, I didn't get bonus until January.

18 Q. Of 2020?

19 A. Correct.

20 Q. For your work in 2019?

21 A. Yes.

22 Q. Did you receive any other compensation
23 for your work in 2019 for Calvary?

24 A. Could you repeat the question.

25 Q. Sure. Other than your salary, medical

1 and dental benefits, and your bonus that you got
2 in January 2020, did you receive any other
3 compensation for your work at Calvary in 2019?

4 A. No.

5 Q. And did your -- was your salary the same
6 in 2020?

7 A. No.

8 Q. What was it in 2020 for Calvary?

9 A. I'm not sure, roughly maybe like 47,000.

10 Q. And did you still get medical and dental
11 benefits in 2020?

12 A. Correct.

13 Q. And did you receive a bonus in January
14 of 2021 for your work in 2020?

15 A. Yes.

16 Q. How much?

17 A. Maybe 3,000. I'm not completely sure.
18 It could have ranged from 1,000 to 3,000.

19 Q. Did you receive any compensation from
20 Arizona State for your work as a volunteer coach?

21 A. Your question is did I receive any
22 compensation from Arizona? What would be your
23 examples of compensation?

24 Q. What would you understand to be
25 compensation?

1 A. Basically you can use the card to pay
2 for medical expenses.

3 Q. Got it.

4 So Arizona State, did you receive any
5 meals from Arizona State?

6 A. Yes, I received meals.

7 Q. How often?

8 A. We were able to eat at a restaurant
9 called Bodhi, which you had two meals per week.

10 Q. And you received coaching from Arizona
11 State's coaching staff, correct?

12 A. Could you further explain what you mean
13 by that?

14 Q. Sure. Did you have to pay for the
15 coaching services of Dion Miller?

16 A. No, I did not pay for the coaching
17 services.

18 Q. Did you have to pay to use the track and
19 weight room facilities for your own training?

20 A. No, I did not have to pay.

21 Q. Do you have to pay for Gary Evans -- did
22 you have to pay for Gary Evans as a coach in
23 Orlando?

24 A. Yes.

25 Q. How much did you have to pay Gary Evans

1 as a coach?

2 A. \$700 monthly.

3 Q. Did you have to pay an additional amount
4 to use certain facilities?

5 A. Yes.

6 Q. How much?

7 A. \$250 monthly.

8 Q. Were there other expenses associated
9 with being a professional athlete in Orlando?

10 A. Yes.

11 Q. What were those?

12 A. Physical therapy, traveling, rent, food.

13 Q. When you were at Arizona State and you
14 traveled to meets where you both worked as a coach
15 and ran as an athlete, did Arizona State cover
16 your travel expenses?

17 A. No, they did not.

18 Q. Did you ever have to pay for your own
19 hotel?

20 A. Yes.

21 Q. When you traveled as a coach for Arizona
22 State, you paid for your own hotel?

23 A. Yes.

24 Q. How often?

25 A. Back then it was the NCAA's rule you

1 Q. But if it was inside Arizona State, that
2 was provided to you as something that came with
3 being a coach?

4 A. Correct.

5 Q. Who is your coach now?

6 A. My coach now is Dennis Shaver.

7 Q. Is he with LSU?

8 A. Yes.

9 Q. Do you train at LSU?

10 A. Yes.

11 Q. Do you have to pay for Dennis Shaver's
12 coaching?

13 A. Yes.

14 Q. How much do you pay him?

15 A. \$300 monthly.

16 Q. Do you have to pay to use the
17 facilities?

18 A. No.

19 Q. Do you have to pay for physical therapy
20 if you have that when you're here at LSU?

21 A. Outside of LSU, yes.

22 Q. Do you have a position of any kind at
23 LSU?

24 A. No.

25 Q. Do you have any coaching

1 responsibilities at LSU?

2 A. No.

3 Q. Do you train at the same time as the LSU
4 student athletes?

5 A. No.

6 Q. What time do you train here?

7 A. We train at 11:00 a.m.

8 Q. And when do the student athletes train?

9 A. I'm not sure, but it's after.

10 Q. When you were at Arizona State, were any
11 of the paid assistant coaches also competing as
12 professional athletes?

13 A. No.

14 Q. When you were at Arizona State, were any
15 of the paid assistant coaches also working a
16 full-time job?

17 MR. GRALEWSKI:

18 Object to form, lacks foundation,
19 calls for speculation.

20 BY MS. LUEDTKE:

21 Q. I'm sorry, when you were at Arizona
22 State, were any of the paid assistant coaches also
23 working a full-time job outside of Arizona State?

24 MR. GRALEWSKI:

25 Same objections.

1 A. No. Their full-time job was Arizona
2 State.

3 BY MS. LUEDTKE:

4 Q. Was there an application process for
5 being a volunteer coach after Dion Miller
6 approached you at NCAA nationals?

7 A. Could you further explain what an
8 application process is?

9 Q. Sure. Let's start with did you fill out
10 a job application?

11 A. I did not fill out a job application,
12 but I did sign a contract to be a volunteer coach.

13 Q. And you submitted your resume?

14 A. Yes.

15 Q. Do you know whether there was a
16 different process for being hired as a paid
17 assistant coach at Arizona State?

18 A. I do not know the process of a paid
19 assistant coach. I was just a volunteer coach.

20 MS. LUEDTKE:

21 Let's mark this as Exhibit 20.

22 (Exhibit 20 was marked.)

23 MS. LUEDTKE:

24 Garrett, this is NCAA_SC_SUBPOENA_2.

25

1 hotel?

2 A. I would say roughly under 400. 300 to
3 400, I cannot remember.

4 Q. Have you ever applied for any other
5 coaching jobs other than the volunteer coach job
6 at Arizona State?

7 A. No.

8 Q. Why not?

9 A. I just never thought about it.

10 Q. Do you want to be a track coach?

11 A. I've never thought about it.

12 Q. Did you ever ask to be considered as a
13 paid assistant coach at Arizona State?

14 A. No.

15 Q. Why not?

16 A. I'm not sure. You would have to ask the
17 coaches.

18 Q. I'm just asking whether you, Ms. Ray,
19 ever asked to be a paid assistant coach at Arizona
20 State?

21 MR. GRALEWSKI:

22 Hold on. Is there a question
23 pending? Because she answered your --
24 what's the question?

25

1 BY MS. LUEDTKE:

2 Q. And Mr. Miller never told you, I would
3 pay you if the bylaws allowed me, right?

4 MR. GRALEWSKI:

5 Objection to form, asked and
6 answered.

7 A. No, he has never told me that.

8 BY MS. LUEDTKE:

9 Q. Nobody from Arizona State ever told you
10 that Arizona State would pay you if the NCAA
11 bylaws allowed them to do so, right?

12 A. Right.

13 Q. And you didn't ask to be paid?

14 MR. GRALEWSKI:

15 Objection to form, asked and
16 answered.

17 A. I did not ask to be paid.

18 BY MS. LUEDTKE:

19 Q. Okay. If we turn to Interrogatory
20 Number 4, which starts on page 7, if you go down
21 to line 21, it says, "Ms. Ray received no
22 compensation from the institution for which she
23 served as a volunteer coach in exchange for any or
24 all of the services she provided as a volunteer
25 coach."

1 Q. Why not?

2 A. I just didn't put much thought into it.

3 Q. You sought to be a coach at Arizona
4 State because you wanted to work with Dion Miller
5 as a coach as a professional track athlete, right?

6 A. Yes.

7 Q. And so the coaches at the high school
8 club teams wouldn't have offered that opportunity?

9 A. It was like a -- one person's job and
10 that was enough. So...

11 Q. If the coaching position that you had at
12 Arizona State had been paid, do you think there
13 would have been more competition to get the job?

14 MR. GRALEWSKI:

15 Objection to form, incomplete
16 hypothetical, calls for a legal
17 conclusion, calls for expert testimony.

18 A. What do you mean by "competition"?

19 BY MS. LUEDTKE:

20 Q. Sure. If the coaching position at
21 Arizona State had been a paid coaching position,
22 do you think that more people would have applied
23 in addition to you to compete to get the position?

24 MR. GRALEWSKI:

25 Objection to form, lacks foundation,

1 BY MS. LUEDTKE:

2 Q. You don't know one way or the other?

3 MR. GRALEWSKI:

4 Same objections.

5 A. No.

6 BY MS. LUEDTKE:

7 Q. And you don't know whether or not
8 Arizona State paid an additional track and field
9 assistant coach after rule changes in 2023?

10 MR. GRALEWSKI:

11 Objection to form, lacks foundation,
12 calls for speculation.

13 A. I was not there. I can only speak of
14 2019 to 2020, like the years that I was there for.

15 BY MS. LUEDTKE:

16 Q. Earlier we talked about your job as an
17 auditor at Calvary and you told me about your
18 salary in 2019 and 2020.

19 What was your salary -- what is your
20 salary at Calvary as an auditor now?

21 A. I would say 60K.

22 Q. Did you get a bonus for 2023?

23 A. We have quarterly bonuses. So yes.

24 Q. How much were you paid in bonuses for
25 2023?

CONFIDENTIAL

1 A. I don't remember.

2 Q. Approximately?

3 A. Maybe 5,000.

4 Q. How much have you been paid for bonuses
5 in 2024?

6 A. I don't remember the exact amounts.

7 Q. Approximately?

8 A. 5,000.

9 Q. And you still get health and dental
10 benefits?

11 A. Yes.

12 Q. And you said you train right now at LSU
13 at approximately 11:00 o'clock every day; is that
14 right?

15 A. Yes.

16 Q. For how many hours do you train at LSU
17 right now?

18 A. It varies.

19 Q. What is the range?

20 A. Maybe two to three hours.

21 Q. And do you work at Calvary before and
22 after you train?

23 A. Yes.

24 Q. And approximately how many professional
25 track meets did you run in 2024?

Page 168

1 speculation, and lacks foundation.

2 A. Are you saying a head coach and
3 assistant job is different?

4 BY MS. LUEDTKE:

5 Q. No. I'm asking, when a head coach is
6 deciding how to put together their team of
7 assistant coaches, do different head coaches value
8 different things?

9 MR. GRALEWSKI:

10 Objection to form, incomplete
11 hypothetical -- sorry, strike that.
12 Objection to form, lacks foundation,
13 calls for speculation.

14 A. Could you rephrase your question.

15 BY MS. LUEDTKE:

16 Q. Sure. In your experience working with
17 head coaches and the head coaches assemble their
18 assistant coach staff, do different head coaches
19 use different factors in deciding who will be
20 their assistant coaches?

21 MR. GRALEWSKI:

22 Same objections.

23 A. Yes. That is with any job. Some people
24 look for different qualities than other people.
25 So...

1 BY MS. LUEDTKE:

2 Q. And a head coach in track and field,
3 from listening to your testimony, it sounds like
4 sometimes they'll hire an assistant coach who has
5 expertise in a particular event; is that right?

6 MR. GRALEWSKI:

7 Objection to form, lacks foundation,
8 calls for speculation.

9 A. What testimony?

10 BY MS. LUEDTKE:

11 Q. I'm not trying to trick you here. It
12 sounds like from your testimony that -- you said
13 sometimes there's -- for example, there was a pole
14 vault coach or a hurdles coach?

15 A. Yes.

16 Q. And you were a sprinting coach, correct?

17 A. Yes, correct.

18 Q. So is it typical that on a track and
19 field team, that some of the assistant coaches
20 would have expertise in particular events?

21 A. Correct.

22 Q. And it's up to the head coach to decide
23 what expertise makes sense for the team?

24 A. I would not say it's up to the head
25 coach, like I'm not sure. But I could assume that

1 they all amongst each other decide.

2 Q. But the head coach might work with the
3 other assistant coaches to decide what makes sense
4 for the team?

5 A. Yes.

6 Q. And some teams might have multiple
7 sprint assistant coaches and some teams might just
8 have one sprint assistant coach?

9 A. Yes.

10 Q. Depending on the priorities for that
11 team?

12 A. Yes.

13 Q. And am I right that some teams might
14 have throwing coaches that help with discus and
15 shotput and hammer?

16 A. Yes.

17 Q. And some teams might have somebody who
18 has an expertise at jumps, like pole vault and
19 high jump?

20 A. Yes.

21 Q. Is it typical for track and field teams
22 you've been involved with to have a coach for
23 discus and then a separate coach for shotput, or
24 does it depend on the team?

25 A. It depends on the team.

1 Q. And how about for the jumps, is it
2 typical to have an assistant coach who focuses on
3 pole vault and then a different person who focuses
4 on long jump, or does it depend on the team?

5 A. It all depends on the team.

6 Q. At LSU, when you're training in sort of
7 the late morning before the other athletes start
8 training, are you training with other professional
9 athletes?

10 A. Yes.

11 Q. Are you familiar with a gentleman named
12 Vernon Norwood?

13 A. Yes.

14 Q. He's a sprinter?

15 A. Yes.

16 Q. Is he one of the people you train with
17 at LSU?

18 A. Yes.

19 Q. And do you understand that he is a
20 volunteer coach at LSU?

21 A. I didn't know that.

22 MR. GRALEWSKI:

23 Objection to form, calls for
24 speculation, and lacks foundation, and
25 misstates the record.

1 MR. GRALEWSKI:

2 Objection to form, misstates the
3 testimony, asked and answered,
4 incomplete hypothetical, calls for
5 speculation, calls for a legal
6 conclusion, and calls for expert
7 testimony.

8 A. So you are saying if there was not an
9 illegal agreement and she decided to work, is it
10 fair?

11 BY MS. LUEDTKE:

12 Q. Yeah. If she decided to work for free;
13 is that fair?

14 MR. GRALEWSKI:

15 Same objections.

16 A. If she decided to work for free without
17 the illegal agreement and antitrust, then yes.

18 BY MS. LUEDTKE:

19 Q. Do you have a view on whether Vernon
20 Norwood should have been paid more or less than
21 you for his time as a volunteer coach?

22 MR. GRALEWSKI:

23 Objection to form, incomplete
24 hypothetical, lacks foundation, calls
25 for speculation, calls for a legal

1 conclusion, and calls for expert
2 testimony.

3 A. Are you asking should he have been more
4 or equal to my pay? I don't really know the
5 numbers. And, also, this is Louisiana; I worked
6 in Arizona. Cost of living is way much more
7 there. So just off the cost of living I would
8 assume it would be more.

9 But other than that, I do not have exact
10 numbers to give on how much he should have been
11 paid or how does the payment works.

12 BY MS. LUEDTKE:

13 Q. So the cost of living is more in Arizona
14 than it is in Louisiana?

15 A. Correct.

16 Q. And so you think it would be fair to
17 potentially pay coaches more in Arizona, where
18 it's more expensive to live, than you would pay
19 coaches in Louisiana, where it's less expensive to
20 live?

21 MR. GRALEWSKI:

22 Objection to form, incomplete
23 hypothetical, calls for a legal
24 conclusion, calls for expert testimony,
25 lacks foundation, and calls for

1 speculation.

2 A. I don't know what they should -- who
3 should be paid what. It could vary -- like I
4 said, it could vary on numerous amount of things.
5 We can -- the sport, the school, the division. I
6 feel like it varies, so I can't give you an exact
7 number.

8 BY MS. LUEDTKE:

9 Q. The amount that a volunteer coach should
10 have been paid could vary based on the sport?

11 MR. GRALEWSKI:

12 Objection to form, asked and
13 answered, incomplete hypothetical, it
14 calls for a legal conclusion, and it
15 calls for expert testimony.

16 A. It could vary on numerous amount of
17 things.

18 BY MS. LUEDTKE:

19 Q. What things other than the sport, the
20 school, the division and the location?

21 MR. GRALEWSKI:

22 Misstates testimony, asked and
23 answered, incomplete hypothetical, lacks
24 foundation, calls for speculation, it
25 seeks a legal conclusion, and it seeks

1 foundation, calls for speculation, calls
2 for a legal conclusion, and calls for
3 expert testimony.

4 A. So I said the location, the school, the
5 division, and I'll say et cetera, because it
6 varies. So I can't -- I don't know, we can make a
7 bubble map or something. I don't know. It could
8 depend on a lot of things that -- I am not in the
9 HR department. I don't know. I don't know. I
10 don't know.

11 BY MS. LUEDTKE:

12 Q. What would you put in your bubble map?

13 MR. GRALEWSKI:

14 Same objections. This entire line
15 of questioning is improper. It is an
16 incomplete hypothetical, it calls for a
17 legal conclusion, seeks expert
18 testimony, speculation, and foundation.

19 A. We can -- I don't know what they should
20 be paid. I don't even know if I'm getting paid
21 the right amount at my own job.

22 BY MS. LUEDTKE:

23 Q. Your job at Calvary?

24 A. Yes. So I'm not sure of the numbers.
25 Like I don't know.

1 State.

2 A. Could you repeat your question.

3 Q. Sure. I'm just asking if you are
4 familiar with alumni using the Arizona State
5 weight room who are not employees of Arizona State
6 or otherwise affiliated with Arizona State, like
7 actively affiliated with Arizona State?

8 A. Through word of mouth, we know who
9 graduated with track and field.

10 Q. So track and field alums?

11 A. Yes.

12 Q. Mr. -- your lawyer --

13 MR. GRALEWSKI:

14 Gralewski.

15 BY MS. LUEDTKE:

16 Q. Your lawyer asked you why you believe
17 you should have been hired as a paid Division 1
18 coach.

19 Do you remember that?

20 A. Yes.

21 Q. When you started working as a coach at
22 Arizona State, you had no coaching experience,
23 correct?

24 A. That's not correct.

25 Q. What was your coaching experience?

1 A. I -- my coaching experience comes from
2 doing the sport and competing inside the sport.
3 And when I ran summer track, we would have younger
4 kids there, so -- and also my high school, I would
5 go out and help out them during my off periods,
6 like collegiate breaks and stuff like that.

7 Q. You had no experience being a paid track
8 coach?

9 A. No.

10 Q. And you had no experience having any
11 formal coaching title, correct?

12 A. No coaching title.

13 MS. LUEDTKE:

14 All right. I don't have any further
15 questions for the witness.

16 MR. GRALEWSKI:

17 And I don't either, and I assume
18 Garrett doesn't, so I think we are done.

19 THE VIDEOGRAPHER:

20 Before we go off the record, would
21 anybody like a copy of the video?

22 MS. LUEDTKE:

23 I don't need one yet, but I likely
24 will later. And I would like the rough
25 and regular delivery.

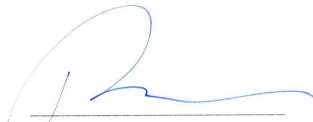
REPORTER'S PAGE

I, RITA A. DEROUEN, Registered Professional Reporter (RPR #6908) and Certified Court Reporter in and for the State of Louisiana, (CCR #2014018), as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(B) of the Louisiana Code of Civil Procedure, do hereby state on the Record:

That due to the interaction in the spontaneous discourse of this proceeding, dashes (--) have been used to indicate pauses, changes in thought, and/or talkovers; that same is the proper method for a Court Reporter's transcription of proceeding, and that the dashes (--) do not indicate that words or phrases have been left out of this transcript;

That any spelling of words and/or names which could not be verified through reference material have been denoted with the phrase "(phonetic)";

That (sic) denotes when a witness stated word(s) that appears odd or erroneous to show that the word is quoted exactly as it stands.



RITA A. DEROUEN, RPR, CCR

REPORTER'S CERTIFICATE

I, Rita A. DeRouen, Registered Professional Reporter (RPR #6908) and Certified Court Reporter (Certificate #2014018) in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that on October 15, 2024, in the above-entitled and numbered cause, the deposition of SHANNON RAY, after having been duly sworn by me upon authority of R.S. 37:2554, did testify as hereinbefore set forth in the foregoing 228 pages;

That this testimony was reported by me in stenographic shorthand, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

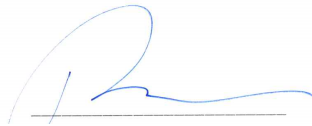
That the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board;

That I have acted in compliance with the prohibition on contractual relationships, as

1 defined by Louisiana Code of Civil Procedure
2 Article 1434 and in rules and advisory opinions of
3 the board;

4
5 That I am not of Counsel, nor related to
6 any person participating in this cause, and am in
7 no way interested in the outcome of this event.

8
9 SIGNED THIS 31st DAY OF OCTOBER, 2024.

10
11
12 

13 RITA A. DEROUEN

14 Registered Professional Reporter
15 Certified Court Reporter
16
17
18
19
20
21
22
23
24
25